THE HON'BLE SRI JUSTICE E. DHARMA RAO

W.P.No. 18637 of 2005

The petitioner in this writ petition seeks a declaration that the Memo in Rc.No.D/CA-1/2005, dated 10-8-2005 issued by the Mandal Revenue Officer, Dummugudem, Khammam District, respondent herein, refusing to furnish the certified copies of Adangal/Pahani for the year 1998-99 in respect of the lands of the petitioner to the extent of Ac.3-95 cents in Sy.No.11/7 in Dummugudem village, Ac. 3-20 cents in Kesavapa;tnam village and Ac.10-62 cents and Ac. 10-60 cents and Ac. 3-17 cents in Sy.Nos. 33/3, 38/9 and 55/3 of Ramachandrapuram village, is illegal and arbitrary and for a consequential direction to furnish the certified copy of the Adangal/Pahani of the lands in question.

The case of the petitioner is that the land in an extent of Ac.3-95 cents in Sy.No. 11/7 in Dummugudem village, Ac. 3-20 cents in Kesavapatnam village and Ac. 10-62 cents, Ac. 10-60 cents, Ac. 3-17 cents in Sy.No.33/3, 38/9 and 55/3 of Ramachandrapuram village in Dummugudem Mandal was acquired by his father, who, after the death of his first wife married one B.Appalanarasamma, and died in the year 1989. A suit in O.S.No. 127/2000 was filed before the Agent to Government for partition of the joint family properties and possession against the said Appalanarasamma and the said suit was transferred on application to the Court of the Senior Civil Judge, Khammam and the same is numbered as O.S.No. 230/2004, which is pending. While the matter stood thus, on the application filed by the petitioner on 31-7-2005 seeking to furnish a certified copy of the Adangal for the year 1998-99 in respect of the lands referred to supra, the respondent refused to furnish the same on the ground that the suit is pending in respect of the said lands. Questioning the action of the respondent in not furnishing the Adangal copies, the petitioner filed the present writ petition.

The learned counsel for the petitioner submits that the Adangal/Pahani is a public document, that whenever a request is made the revenue authorities have to furnish copies of such document, that the respondent has no power to refuse to furnish the copies of the Adangal and that therefore the said action of the respondent is illegal and arbitrary.

It is to be seen that there is a suit pending in respect of the lands referred to supra and the purpose of seeking copies of the Adangal/Pahani is only for production of the same in the civil suit and not for any other purpose. More over the documents sought for in question are the public documents and the revenue authorities can be issued to the petitioner after due verification and the same cannot be denied. Therefore, having regard to the facts and circumstances of the case, I deem it appropriate to direct the respondent herein to furnish copies of Adangal/Pahani as sought for by the petitioner within four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

23rd August, 2005

BJ/